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13 Attorney for Defendants

14 **IN THE UNITED STATES DISTRICT COURT**
15 **FOR THE DISTRICT OF ARIZONA**

16 Stephon Wrays,

17 NO. _____

18 Plaintiff,

19 v.

20 Maricopa County; Trisha Amin, 1218H;
21 MHA 1114H; RN1022H; Keturah Volpe,
22 CH144; Dr. Gan, CH137; R. Avalos,
23 PAC 1632H; MHP CH139; MHA 1790H;
24 John and Jane Does; Entities I-X,

25 **NOTICE OF REMOVAL OF**
26 **MARICOPA COUNTY SUPERIOR**
27 **COURT CASE NO. CV2021-096095**
28 **TO THE UNITED STATES**
29 **DISTRICT COURT**

30 Defendants.

31
32 Defendants, pursuant to 28 U.S.C. § 1331, §1441(c), §1446(a), and Rule 3.6, Local
33 Rules Civil Procedure for the District of Arizona, notices the removal of the above-
34 captioned case, cause number CV2021-096095, from the Arizona Superior Court,
35 Maricopa County, to this Court, and in support of removal asserts the following:

1. On or about December 31, 2021, Plaintiff filed a Complaint against
2 Defendants in the Superior Court of the State of Arizona for the County of Maricopa under
3 the caption *Stephon Wrays v. Maricopa County, et al.*, Case No. CV2021-096095. A copy
4 of the Complaint, and all other documents previously filed in this matter and served on
5 Defendants are attached hereto within Exhibit "B". (Exhibit "A" is the Civil Cover Sheet.)
6

7. The Complaint was served on Defendants Trisha Amin, Keturah Volpe,
8 Victor Gan, Robin Avalos, Viviana Machado, Cindy Zaffino, Taylor Newell and Karen
9 Mejia Quintana on March 31 2022. Defendant Maricopa County was served on April 25,
10 2022.

12. 3. As of date of this removal, Defendant Angela Fischer has not been served.

14. 4. This Notice of Removal is being filed within 30 days after service of the
15 Complaint and is therefore timely filed under 28 U.S.C. § 1446(b).

17. 5. The lawsuit filed in Maricopa County, among other claims, alleges the
18 violation of Plaintiff's civil rights and is brought under 42 U.S.C. § 1983 for violations of
19 the Fourth and Fourteenth Amendments of the United States Constitution.

21. 6. By reason of the above facts, (a) the United States District Court has original
22 jurisdiction of this civil action pursuant to 28 U.S.C. § 1441(c). All served Defendants
23 consent to the removal of this action.

25. 7. A Notice of Filing of Notice of Removal, a true and correct copy of which is
26 attached as Exhibit "C," has been filed in the Arizona Superior Court, County of Maricopa.
27
28

1 WHEREFORE, Defendants respectfully request that the above action now pending
2 in the Arizona Superior Court, Maricopa County, be removed to this Court.
3
4

5 **RESPECTFULLY SUBMITTED** this 2nd day of May 2022
6

7 RACHEL H. MITCHELL
8 MARICOPA COUNTY ATTORNEY
9

10 BY: s/Sherle R. Flaggman
11 SHERLE R. FLAGGMAN
12 Deputy County Attorney
13 *Attorney for Defendants*
14

15 CERTIFICATE OF SERVICE
16
17 I hereby certify that on May 2, 2022, I caused the foregoing document to be
18 electronically transmitted to the Clerk's Office using the CM/ECF System for filing and
19 transmittal of a Notice of Electronic Filing to the following CM/ECF registrants:
20
21 Clerk of the Court
22 United States District Court
23 Sandra Day O'Connor U.S. Courthouse
24 401 W. Washington Street
25 Phoenix, AZ 85003-2161
26
27 Keith M. Knowlton, Esq.
28 KEITH M. KNOWLTON, L.L.C.
29 9920 S. Rural Rd., Ste. 108, PMB #132
30 Tempe, AZ 85284-4100
31 keithknowlton@msn.com
32 *Attorney for Plaintiff*
33
34 s/J. Barksdale
35
36 S:\CIVIL\CIV\Matters\CJ\2022\Wray v. MC, et al. 2022-0043\Pleadings\Removal\NOR.docx
37
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